

Notice of Allowability

Application No.

09/714,726

Examiner

Lalita M. Hamilton

Applicant(s)

WIESEHUEGEL ET AL.

Art Unit

3691

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *BPAI decision on March 31, 2009*.
2. ☒ The allowed claim(s) is/are 1-23.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

/Lalita M Hamilton/
Primary Examiner, Art Unit 3691

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Robert Frantz on July 28, 2009.

The application has been amended as follows:

Claim 1 (currently amended) A method for preparing and presenting entitled offerings to prospective brokers, said prospective brokers including buyers and bidders, and for collecting bids from said prospective buyers, bidders and brokers in response to said offerings, said method comprising ~~the steps of:~~

- establishing one or more broker entitlement schema in an offering and bid collection computer system, said broker entitlement schema being based on a contractual arrangement between one or more brokers, one or more traders, and manufacturer or service provider; each broker entitlement schema containing one or more entitlement definitions indicating contractually allowable items which may be offered for sale to each broker by said trader;

- transmitting by said offering and bid collection computer system a first list of available items offered for sale by said manufacturer or service provider from said manufacturer or service supplier to a trader;

- preparing by said offering and bid collection computer system one or more entitled offerings through filtering said first list of available items according to said broker entitlement schema such that said prepared entitled offerings include only information for one or more items to which each broker is allowed to purchase as defined by each broker's associated broker entitlement schema; and

- subsequent to said preparation of entitled offerings but prior to receiving any bids to purchase any offered items, presenting via a computer user interface of a computer network terminal or of a computer console said entitled offerings to one or more prospective brokers such that each broker may review entitled offerings containing information regarding items being offered for sale on which the broker is entitled to bid, but are not allowed to view information regarding items to which each broker is not entitled to purchase.

Claim 9 (currently amended) A computer-readable medium ~~containing computer executable program code~~ for preparing and presenting entitled offerings to prospective brokers, said prospective brokers including buyers and bidders, and for collecting bids from said prospective buyers and brokers in response to said entitled offerings in a computer network server, said computer program code ~~comprising causing said computer network server to perform the steps of:~~

a computer-readable medium suitable for encoding computer program code; and one or more computer programs encoded by said computer-readable medium, when executed causing a computer network server to:

transmit transmitting from a manufacturer or service provider to a trader a first list of items available for purchase from said manufacturer or service provider;

access ~~accessing~~ at least one broker entitlement schema in a computer-readable record for one or more brokers, each broker entitlement schema containing one or more entitlement definitions indicating allowable items for which a broker may receive offers for items to purchase from said manufacturer or service provider according to a contractual agreement;

prepare ~~preparing~~ one or more entitled offerings through filtering said first list of items against said broker entitlement schema such that each resulting entitled offering only includes items for which each broker is allowed to receive offers to purchase, and excludes information regarding items to which each broker is not entitled to purchase, as defined by the prospective broker's entitlement definitions; and subsequent to said step of preparing entitled offers but prior to receipt of any bids from said brokers to purchase said available items, present ~~presenting~~ via a computer user interface said entitled offerings to one or more brokers such that each broker may review lists containing only items available for purchase from said manufacturer or services on which the broker is entitled to bid.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lalita M. Hamilton whose telephone number is (571) 272-6743. The examiner can normally be reached on Tuesday-Thursday (6:30-2:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kalinowski Alexander can be reached on (571) 272-6771. The fax phone

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Lalita M Hamilton/
Primary Examiner, Art Unit 3691